



Rep. Anthony DeLuca

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09700HB1365ham001

LRB097 05232 HLH 52032 a

1 AMENDMENT TO HOUSE BILL 1365

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1365 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Property Tax Code is amended by changing  
5 Sections 18-70, 18-80, and 18-90 and by adding Section 18-87 as  
6 follows:

7 (35 ILCS 200/18-70)

8 Sec. 18-70. More than 5% increase; notice and hearing  
9 required. If the estimate of the corporate authority made as  
10 provided in Section 18-60 is more than 105% of the amount  
11 extended or estimated to be extended, plus any amount abated by  
12 the corporate authority prior to extension, upon the final  
13 aggregate levy of the preceding year, exclusive of election  
14 costs, the corporate authority shall give public notice of and  
15 hold a public hearing on its intent to adopt an aggregate levy  
16 in an amount which is more than 105% of the amount extended or

1 estimated to be extended upon the final aggregate levy  
2 extensions, plus any amount abated, exclusive of election  
3 costs, for the preceding year. The hearing shall not coincide  
4 with the hearing on the proposed budget of the taxing district.  
5 If the taxing district is subject to the Property Tax Extension  
6 Limitation Law, then a public hearing is not required unless a  
7 petition is filed under Section 18-87 of this Act.

8 (Source: P.A. 86-957; 88-455.)

9 (35 ILCS 200/18-80)

10 Sec. 18-80. Time and form of notice. For taxing districts  
11 that are not subject to the Property Tax Extension Limitation  
12 Law, the ~~The~~ notice shall appear not more than 14 days nor less  
13 than 7 days prior to the date of the public hearing. The notice  
14 shall be no less than 1/8 page in size, and the smallest type  
15 used shall be 12 point and shall be enclosed in a black border  
16 no less than 1/4 inch wide. The notice shall not be placed in  
17 that portion of the newspaper where legal notices and  
18 classified advertisements appear. The notice shall be  
19 published in substantially the following form:

20 Notice of Proposed Property Tax Increase for ... (commonly  
21 known name of taxing district).

22 I. A public hearing to approve a proposed property tax levy  
23 increase for ... (legal name of the taxing district)... for ...  
24 (year) ... will be held on ... (date) ... at ... (time) ... at  
25 ... (location).

1 Any person desiring to appear at the public hearing and  
2 present testimony to the taxing district may contact ... (name,  
3 title, address and telephone number of an appropriate  
4 official).

5 II. The corporate and special purpose property taxes  
6 extended or abated for ... (preceding year) ... were ...  
7 (dollar amount of the final aggregate levy as extended, plus  
8 the amount abated by the taxing district prior to extension).

9 The proposed corporate and special purpose property taxes  
10 to be levied for ... (current year) ... are ... (dollar amount  
11 of the proposed aggregate levy). This represents a ...  
12 (percentage) ... increase over the previous year.

13 III. The property taxes extended for debt service and  
14 public building commission leases for ... (preceding year) ...  
15 were ... (dollar amount).

16 The estimated property taxes to be levied for debt service  
17 and public building commission leases for ... (current year)  
18 ... are ... (dollar amount). This represents a ... (percentage  
19 increase or decrease) ... over the previous year.

20 IV. The total property taxes extended or abated for ...  
21 (preceding year) ... were ... (dollar amount).

22 The estimated total property taxes to be levied for ...  
23 (current year) ... are ... (dollar amount). This represents a  
24 ... (percentage increase or decrease) ... over the previous  
25 year.

26 Any notice which includes any information not specified and

1 required by this Article shall be an invalid notice.

2 All hearings shall be open to the public. The corporate  
3 authority of the taxing district shall explain the reasons for  
4 the proposed increase and shall permit persons desiring to be  
5 heard an opportunity to present testimony within reasonable  
6 time limits as it determines.

7 (Source: P.A. 92-382, eff. 8-16-01.)

8 (35 ILCS 200/18-87 new)

9 Sec. 18-87. More than 5% increase; notice and hearing  
10 requirements in districts that are subject to the Property Tax  
11 Extension Limitation Law. If the estimate of the corporate  
12 authorities of any taxing district that is subject to the  
13 Property Tax Extension Limitation Law, made as provided in  
14 Section 18-60, is more than 105% of the amount extended or  
15 estimated to be extended, plus any amount abated by the  
16 corporate authority prior to extension, upon the final  
17 aggregate levy of the preceding year, exclusive of election  
18 costs, the corporate authority shall give public notice of its  
19 intent to adopt an aggregate levy in an amount which is more  
20 than 105% of the amount extended or estimated to be extended  
21 upon the final aggregate levy extensions, plus any amount  
22 abated, exclusive of election costs, for the preceding year.  
23 If, within 30 days after publication of the notice, a petition  
24 for a public hearing signed by 10 or more residents of the  
25 district is filed with the county clerk, then, not fewer than 7

1 nor more than 14 days after the petition is filed, the district  
2 must hold a public hearing on its intent to adopt an aggregate  
3 levy in an amount which is more than 105% of the amount  
4 extended or estimated to be extended upon the final aggregate  
5 levy extensions, plus any amount abated, exclusive of election  
6 costs, for the preceding year. Notice of the hearing must be  
7 published in accordance with Section 18-80 of this Act. The  
8 hearing shall not coincide with the hearing on the proposed  
9 budget of the taxing district.

10 (35 ILCS 200/18-90)

11 Sec. 18-90. Limitation on extension of county clerk. The  
12 tax levy resolution or ordinance approved in the manner  
13 provided for in this Article shall be filed with the county  
14 clerk in the manner and at the time otherwise provided by law.  
15 No amount more than 105% of the amount, exclusive of election  
16 costs, which has been extended or is estimated to be extended,  
17 plus any amount abated by the taxing district prior to  
18 extension, upon the final aggregate levy of the preceding year  
19 shall be extended unless the tax levy ordinance or resolution  
20 is accompanied by a certification by the presiding officer of  
21 the corporate authority certifying compliance with or  
22 inapplicability of the provisions of Sections 18-60 through  
23 18-87 ~~18-85~~. An amount extended under Section 18-107 in 1994  
24 for a multi-township assessment district that did not file a  
25 certification of compliance with the Truth in Taxation Law may

1 not exceed 105% of the amount, exclusive of election costs,  
2 that was extended in 1993, plus a proportional amount abated  
3 before extension, upon the levy or portion of a levy that is  
4 allocable to assessment purposes in each township that is a  
5 member of that multi-township assessment district.

6 (Source: P.A. 88-455; 88-660, eff. 9-16-94.)".